

David S. Lifton
11500 W. Olympic Blvd., #400
Los Angeles, California 90064

Tel: (310) 445 2300

Fax: (310) 445 2301

FAX TRANSMISSION --- COVER PAGE

TO: Charles Kuhn -- Director of Library,
Hood College, Frederick Maryland

Fax Number: 301 696 3796

Number of pages (including this cover page): 3

DATE: June 23, 1993

MESSAGE:

Dear Charles:

I spoke with a copyright attorney on Tuesday evening.

It is a violation of Federal copyright law to copy my letters without my permission. Period. I stress the word "copy". They can be looked at, studied, etc. But they cannot be photocopied—not without my permission. That is what "copyright"—the right to copy—is all about. That is what the J.D. Salinger case was all about, and it went all the way up to the Supreme Court. As the attorney I spoke with stated, "A lot of historians and writers don't like it. We tell them to complain to Congress. They wrote the law."

I reiterate my demand that my letters not be photocopied, and urge you to look into the circumstances under which this already occurred. I called Professor McKnight this evening to tell him of my discussion with the attorney. The attorney says that Feinman and Helen Wilson, who did the copying, had an Master/Agent relationship, and that they broke the law when they did this.

Of course, Feinman is carrying this further, using these letters as the basis for a "book," and then distributing that book consisting of some 200 or more pages to anyone and everyone on Compuserve, and urging all recipients to post the file on "bulletin boards around the world." That "book" is apparently chock full of information from those letters.

Charles Kuhn, Director of Libraries
June 23, 1993
Page 2

On this score, I attach, for your information, the notice Feinman has posted on the Compuserve bulletin board. He states he will prove my book BEST EVIDENCE is "a literary fraud" and touts the fact that he has access to Sylvia Meagher's letters, and writes: "The light that Sylvia's archive sheds on "Best Evidence" is of particular interest since it includes extensive correspondence with Mr. Lifton."

I am not addressing in this fax what I believe to be the very arguable and probably illogical methodology that I am sure pervades Mr. Feinman's "book", if I am to judge by his other writings about me. I am addressing the issue of how he got his so called "source material", and whether he did so within the law, or infringed on my copyright.

If he photocopied the letters without my position, he infringed. Pure and simple.

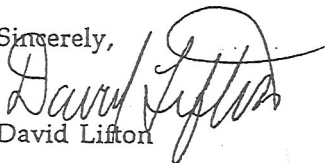
I am definitely going to carry this further. If a "second opinion" confirms what I already have been told, and if his so called "book" is the travesty that I suspect it is, I may very well file a grievance with the New York Bar Association.

In my opinion, an attorney should not be at your facility, maneuvering behind your back, and copying my personal correspondence, in the service of a personal, almost irrational, vendetta that he has rationalized as "scholarship." Moreover, I believe that Hood has to be (and should have been) knowledgeable about the basic tenets of copyright law if it is to be the proper custodian of personal correspondence; and before permitting such copying to take place.

I urge you to bring this whole matter to Hood's attorneys' attention, and to feel free to communicate with me. Moreover, I think a formal request should go to Roger Feinman to get the letters he illegally copied returned.

I realize that some toothpaste is out of the tube here; nevertheless, I think it will show Hood's good faith and help clear the air that such a step be taken.

Sincerely,


David Lifton

Att: Feinman's "message #93448 posted on Compuserve, touting his "book".